



2004 Annual Report

**U.S. Probation Office
Northern District of Ohio**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

~ District Judges ~

Paul R. Matia, Chief Judge
Lesley Wells
James G. Carr
Solomon Oliver Jr.
David A. Katz
Kathleen McDonald O'Malley
Peter C. Economus
Donald C. Nugent
Patricia A. Gaughan
James S. Gwin
Dan Aaron Polster
John R. Adams

~ Senior District Judges ~

John M. Manos
John W. Potter
Ann Aldrich
David D. Dowd Jr.
Sam H. Bell

~ Magistrate Judges ~

Jack B. Streepy
David S. Perelman
James S. Gallas
Patricia A. Hemann
Vernelis K. Armstrong
Nancy A. Vecchiarelli
George J. Limbert
William H. Baughman Jr.
Kenneth S. McHargh

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Report of the Chief Probation Officer

This report covers fiscal year 2004, beginning October 1, 2003 through September 30, 2004.

Budget cutbacks throughout the judiciary impinged on most areas of spending, particularly personnel. The year began with 101 employees and ended with 93, as the office was unable to fill vacancies created by retirements and resignations. Additionally, one employee received a buyout.

Despite the budget reductions, it was possible to carry through with major projects begun the previous year, such as PACTS^{ecm}, Monograph 109 and Search and Seizure. Fortunately, the presentence workload went down slightly from the previous year, and the number of offenders under supervision remained constant. Early terminations enabled management of the supervision caseload at an acceptable level.

The negative budget environment led to cooperation between the Probation and District Court automation staffs. Beginning with the new fiscal year, the Court will consolidate the automation staffs into one unit. Substance abuse treatment expenditures were reduced through efficient management of services and the implementation of instant drug tests.

Staff are committed to exploring ways of more effectively accomplishing our mission to the Courts. The Administrative Office Strategic Assessment report released in September will provide direction to those efforts. Also, future workshop sessions will be planned with other Court units to seek ways of sharing administrative services.

Within the context of all of the above, the coming year will also be a year of transition to a new chief probation officer. I am grateful for the support that I have received from staff and congratulate Greg Johnson on his selection. I am confident that staff will assist him in providing to the Court continued delivery of exceptional investigative and supervision services.

John J. Peet III

Northern District of Ohio by County

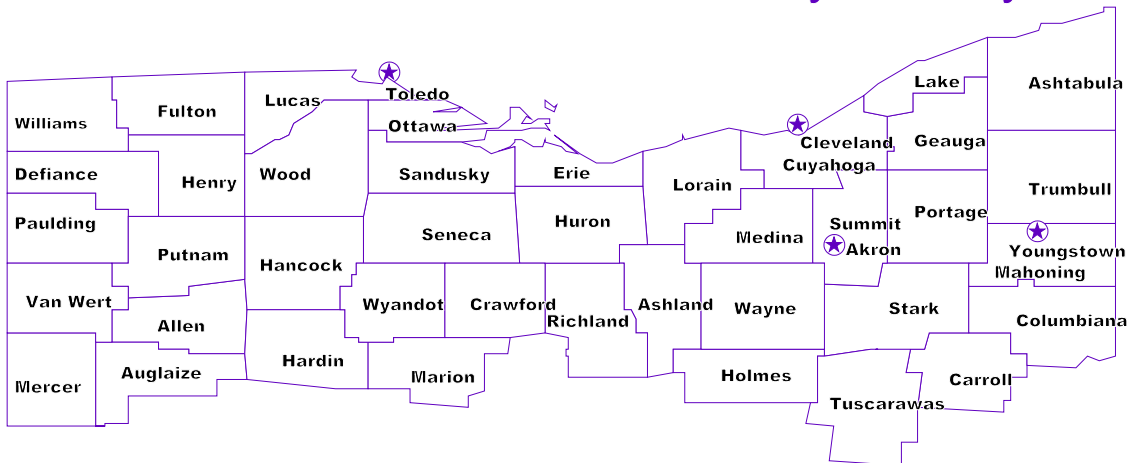


Figure 1 - Northern District of Ohio by County

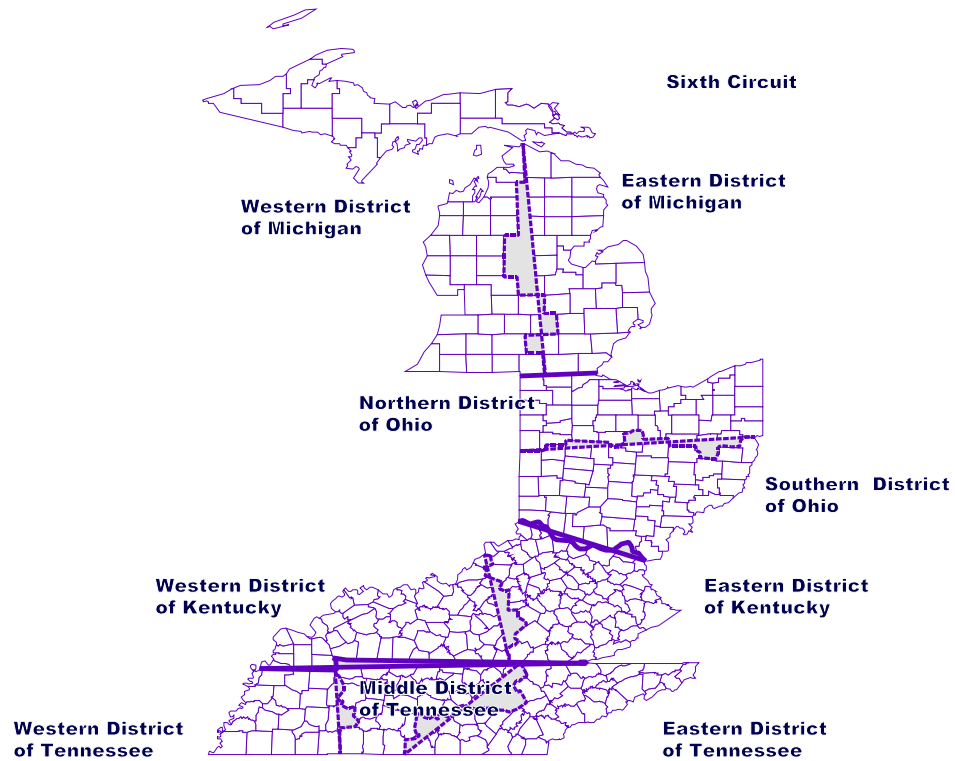


Figure 2 - Sixth Circuit

INVESTIGATIONS

Presentence Units completed a total of 872 presentence reports. Additional completed reports not factored into this total were pre-plea, criminal history investigation, post sentence, and Bureau of Prisons supplemental reports.

There was approximately a 6% workload decrease from last year's total of 923. However, the timeliness rate went up from last year's 86% to a high of 92%. Supervisors accomplished this by coordinating and balancing assignments throughout the District. Reports were submitted

by 25 writers and reviewed by 4 supervisors in Akron, Cleveland, Toledo and Youngstown. Currently, there are 15 full-time and 2 part-time writers in the District. Overall, the needs of the Court in the area of presentence investigations were met. The highest number of reports completed by a probation officer during the fiscal year was 64. Last year, 66 was the highest number completed. The units continue with a balanced approach in assignments.

Breakdown of completed reports by office: Cleveland - 615, Akron/Youngstown -181, and Toledo - 76. These numbers reflect the totals completed by officers in each location and not necessarily the total number of reports generated by each location. Assistance was provided to the Toledo unit by Cleveland officers. The year ended with the loss of one officer to another federal agency and the retirement of two specialists in the Toledo and Cleveland offices.

Training

In August, Presentence Units participated in a one-day conference, where in-house presentence experts provided training in areas related to Guideline Application as a result of new laws and the Blakely decision. Also in August, Presentence Units participated in the Federal Criminal Practice Seminar presented by the Federal Public Defender's Office and the Federal Bar Association. In May, three probation officers attended the Federal Guidelines Seminar in Miami Beach, Florida. These events were resources for continued development of the Presentence Units.

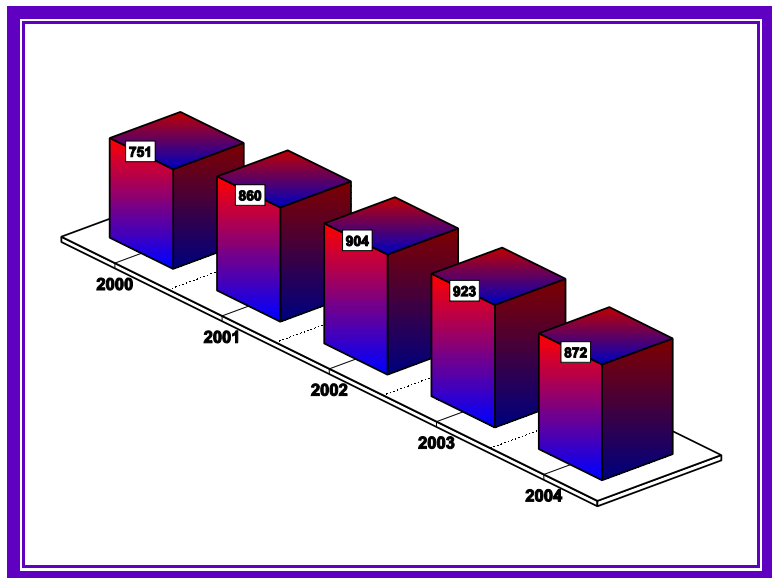


Figure 3 - Presentence Reports

Quality Control

Quality Control continued by way of review of the reports by Supervising Probation Officers, the Deputy Chief and the Chief. Supervisors and sentencing specialists continued with in-house training and mentorship in the areas of thorough investigations, guideline application, timeliness, consistency in format, communicating with relevant agencies and providing the Court with well-reasoned recommendations. Extraordinary cases addressed this year were: motorcycle gang, mortgage fraud cases, firearms initiative - Project Safe Neighborhood case, high profile figures and corporation cases, and child porn cases. The units continue to receive a staple of drug and fraud cases.

The Blakely Decision handed down by the Supreme Court generated special requests from the Court for criminal history computations prior to Plea. A total of 29 special reports were submitted.

It has been another good year for the Presentence Units, and they are prepared to address next year's workload. Fiscal year 2005 will provide more opportunity for growth through rotation of new officers into the Presentence Units for a two-year term.

SUPERVISION

There were 1,774 offenders under supervision at the end of the fiscal year, 19 fewer cases than reported last year. This District complied with the directive from the Office of Probation and Pretrial Services to terminate cases prior to their expiration date if they met the criteria. The focus of this initiative continues to be to slow the growth of staff, while the system faces an ever increasing number of offenders being released to the community. Approximately 151 offenders met the early termination standards, and their supervision was terminated early by the court. The District fully understood the budgetary concerns that precipitated this approach, but remained cautious in executing this directive.

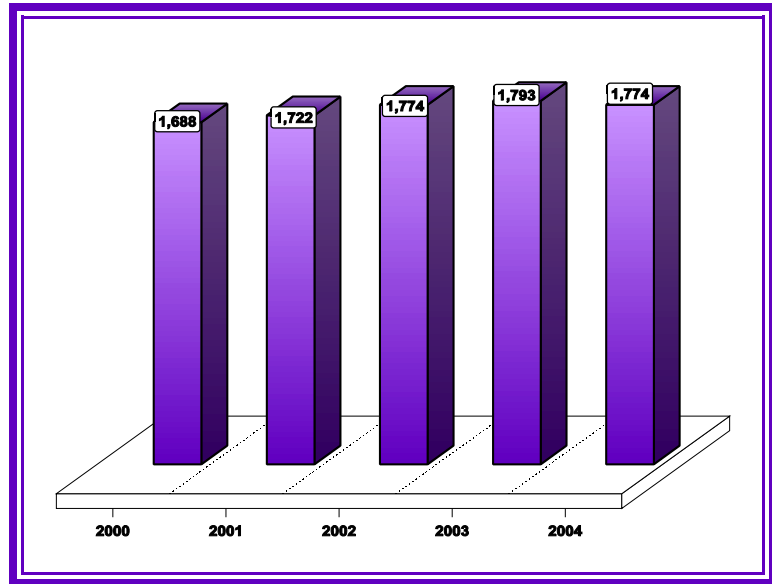


Figure 4 - Offenders Under Supervision

Work continued toward full implementation of Monograph 109, which provides a national perspective on the community supervision of federal offenders. Probation officers and their supervisors were encouraged to become more field-based in their supervision efforts and less bound to their office desks. The case planning process stimulated more verbal communication between supervisors, specialists and probation officers. Initial and subsequent case plans were submitted timely, with few officers and supervisors failing to meet their monthly staffing schedules. Both supervisors and probation officers acknowledged the positive benefits of this proactive collaborative approach in supervising offenders.

During this fiscal year, 33 probation officers supervised 1,774 offenders. Three supervisors continued to dedicate their workload solely to supervision officers, while three other supervisors had oversight of both presentence writers as well as supervision officers. Although efforts were made to lower caseload size, that goal was not achieved due to a reduction in staff. Supervision officers completed 588 Violation Reports, 96 reports less than the number completed last year.

On-going Monograph 109 training occurred as a means of evaluating our implementation progress. Some officers were also trained in the Search and Seizure Initiative. The focus is to provide staff with tools that are necessary to perform their job.

This District continued to have a presence at the Bureau of Prisons Community Corrections facilities to assist in the transition of offenders back to the community. As a new requirement, probation officers are now receiving Bureau of Prisons inmates as assigned cases at our local Community Corrections Centers. Those cases are assigned 120 days prior to their release on supervision and only if there is on-going personal contact. This is viewed as a positive step in becoming actively engaged with the offender prior to their release to community supervision. Throughout our system, it is clear that re-entry initiatives are critical to lowering the rate of recidivism and, as such, during fiscal year 2005 and beyond, supervision officers will begin to focus even more on the employment and educational needs of offenders.

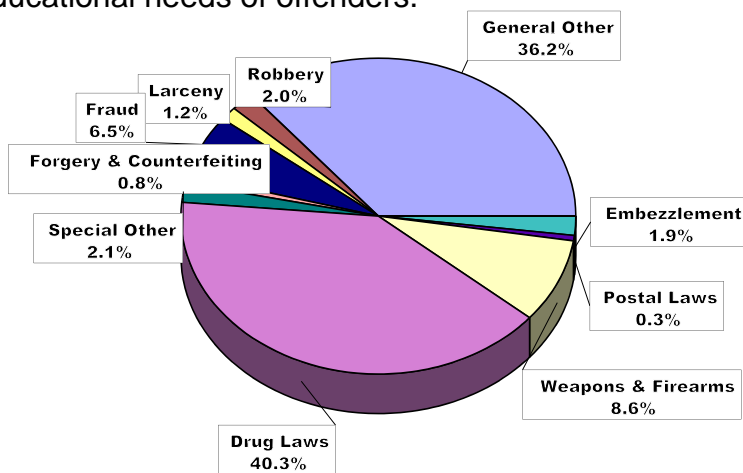


Figure 5 - Offenders Under Supervision by Offenses

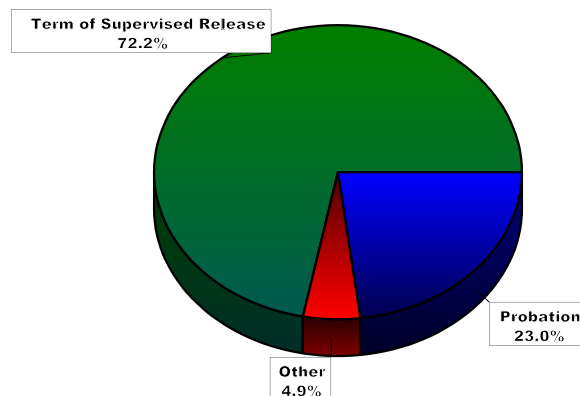


Figure 6 - Offenders under Supervision by Type

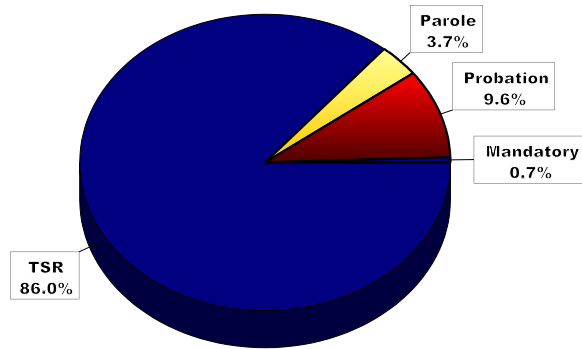


Figure 7 - Cases Closed and Revoked

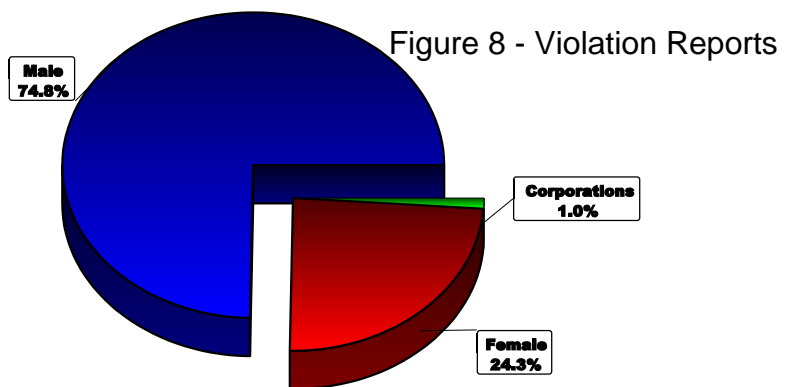
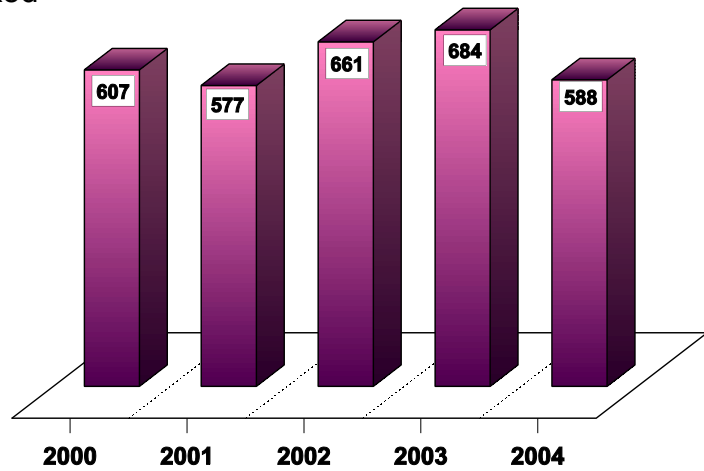


Figure 8 - Violation Reports

Figure 9 - Offenders by Gender

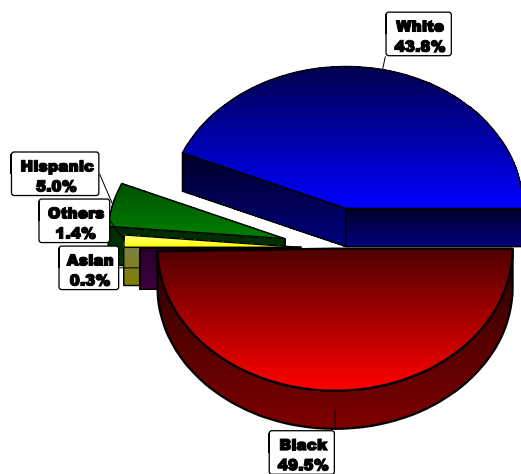


Figure 10 - Offenders by Ethnicity

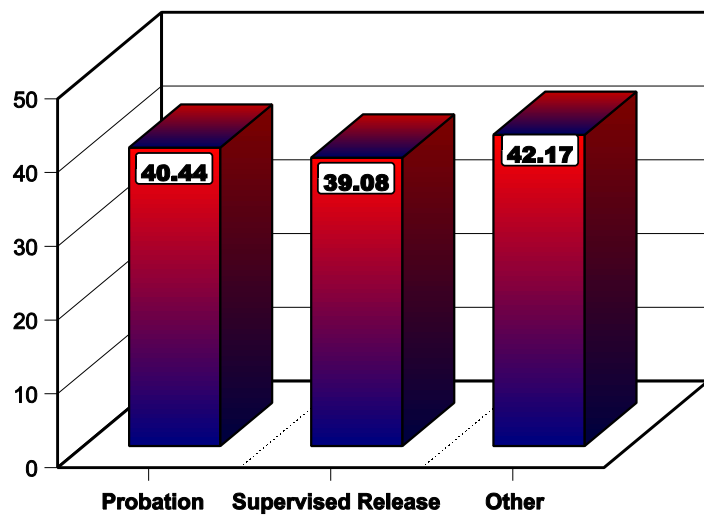


Figure 11 - Average Age of Offenders

Home Confinement

The Home Confinement Program (HCP) has been in existence in our District for almost 13 years. It is used as an alternative to incarceration. This was a challenging year for HCP team. The team was reduced by one officer because of the deployment of a probation officer, which resulted in the HCP Specialist covering the Akron office.

HCP is utilized as an alternative sanction by the Court, Bureau of Prisons, and the Parole Commission to impose a sentence, address violation behavior or as a pre-release component of the inmate's sentence. The number of violation cases increase slightly. The cost of electronic monitoring services was \$3.47 per day . Due to the flexibility in billing, many offenders were ordered to make only partial payment of costs. The number on Non-Electronic cases increased slightly.

Variations of monitoring have been used in order to determine the most effective manner of supervising offenders. The HCP team provides intensive community supervision to offenders which includes program monitoring 24 hours as day, 7 days a week, year round. The District uses both Electronic and Non-Electronic Monitoring. Electronic Monitoring is the preferred means and provides the most accountability. Offender schedules are limited to work, medical appointments, religious services, schooling and other necessity leaves.

The total cost of operating the District's HCP monitoring services was \$74,138. The cost to the District was only \$37,277, due to the offenders paying a total of \$36,861. The HCP team did an outstanding job of collecting home confinement from self-pay cases. The HCP team will continue to recommend self-payment or partial payment of electronic monitoring services when feasible.

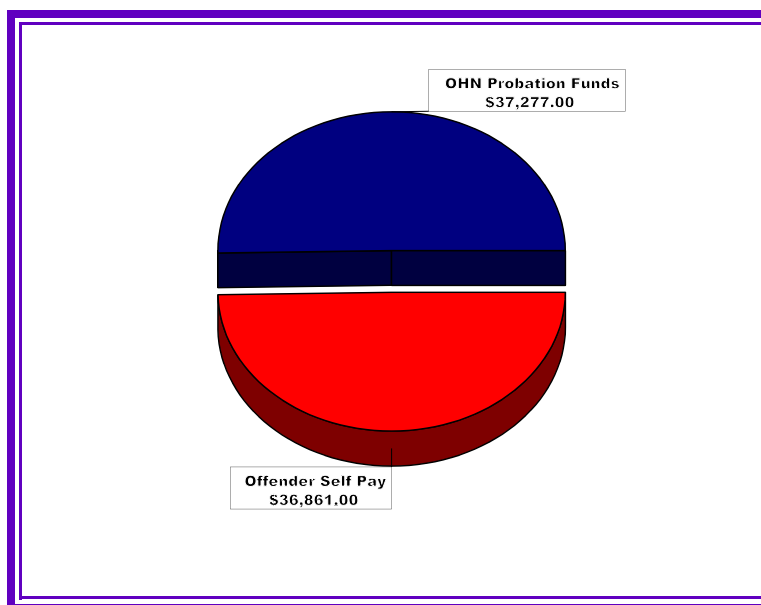


Figure 12 - Home Confinement Costs Breakdown

Aftercare Treatment

Aftercare services were administered by the aftercare treatment team operating across the District. The team is comprised of five Aftercare Treatment Specialists, supported by a Probation Officer Assistant and several clerical staff. Aftercare Treatment Specialists functioned as mentors to supervision officers to facilitate service delivery and as consultants with presentence writers to develop appropriate treatment recommendations at the time of sentencing. The substance abuse and mental health programs offered an array of services along the therapeutic continuum, including assessment / evaluation; individual, group and family counseling; residential (drug) treatment; drug testing, and polygraph testing for sex offenders. Of the 1774 offenders under supervision, 477 were in contract substance abuse services and 254 were in contract mental health services, including sex offenders.

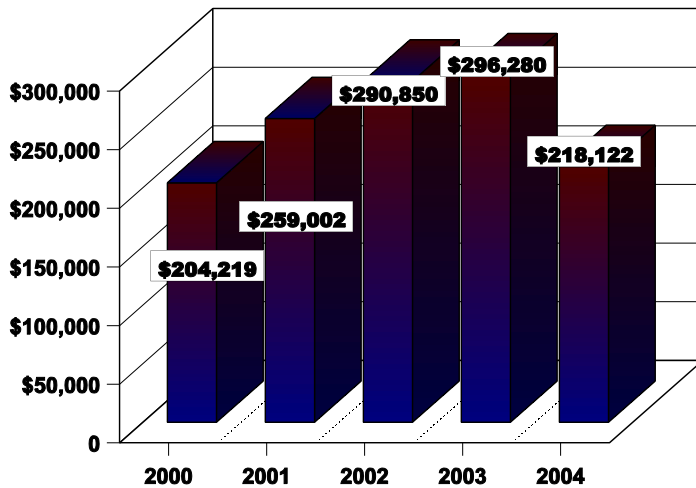


Figure 13 - Mental Health Expenditures

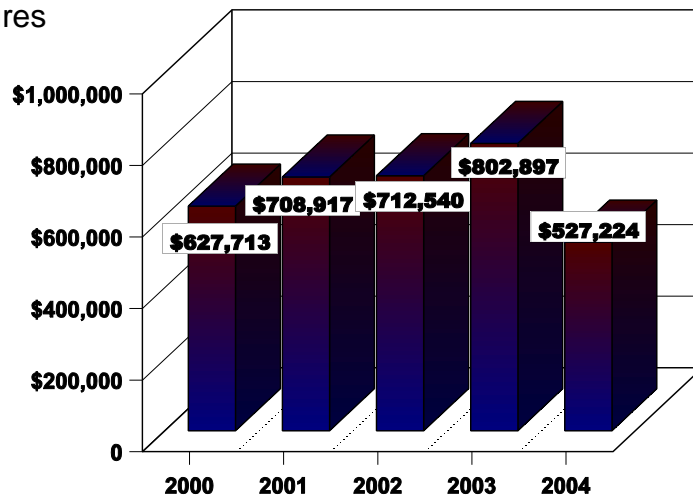


Figure 14 - Drug & Alcohol Expenditures

Budget incentive goals for the year were successful. Efforts to reduce aftercare expenditures while still affording appropriate treatment interventions in accordance with Court orders resulted in a savings of nearly \$300,000. Incentives included increased utilization of community resources, third party insurance billing, increased in-house drug testing employing the “instant” hand-held instruments and closer monitoring of progression through treatment/testing phases. The district invested \$527,224 in substance abuse services and \$218,122 in mental health / sex offender services for our offenders, for a total expenditure of \$745,346 for treatment.

This was a year of transition for the aftercare program. A new drug testing laboratory was contracted, which was utilized to conduct the urinalysis for specimens collected by our treatment vendors and to confirm disputed positive results from our instant tests.

The year was also a procurement year for the aftercare program. Efforts were made to refine services and to target treatment needs with greater specificity. Community agencies throughout the District were solicited to bid on new treatment agreements for outpatient and inpatient substance abuse treatment, outpatient mental health and sex offender treatment. The vendors awarded were trained by the aftercare treatment specialists. Vendors will provide treatment to offenders for the next three years, provided annual monitoring by treatment specialists reflect satisfactory service delivery.

Goals for fiscal year 2005 include continued incentives to contain treatment costs, increased efforts to utilize community-funded services and the updating of the Aftercare Treatment Services Manual to more accurately reflect current practices. Additionally, intentions are to implement the drug treatment screening tool developed by Texas Christian University (TCU). The TCUDS instrument will be valuable in assisting our officers to determine which offenders need to continue in structured treatment which may have begun during custody in the Bureau of Prisons. The goal for the entire aftercare program is to more effectively plan and implement treatment with a realistic and sensible regimen with which to meet the Court objectives for treatment/monitoring and risk management in the community we serve.

Criminal Justice Forum

The Criminal Justice Forum is made up of the Chief Judge, other interested Judges or Magistrate Judges, the Clerk, the U.S. Attorney, the Federal Defender, the U.S. Marshal, the Chief Pretrial Services Officer and the Chief Probation Officer. It offers the Court Family opportunity to discuss items of mutual concern. Topics of discussion this year included updates on local custody issues, implementation of new Administrative Office monographs, offender DNA sampling, prosecution initiatives by the U.S. Attorney, Clerk’s Office implementation of electronic case filing in criminal cases and the adjustments necessitated by the U.S. Supreme Court *Blakely v. Washington* ruling. A tour of FCI Elkton was sponsored by the Probation Office as a Criminal Justice Forum initiative.

Safety

Safety encompasses building security and employee safety, both personal and job-related interaction with the public and/or offenders in the office and the field. Administrative staff are involved with the Marshals Service and GSA with quarterly security meetings at various Court locations.

The Probation and Pretrial Services Safety Committee sponsors meetings and training in defensive tactics and pepper spray. First Aid training is offered through the Red Cross. Firearms training is operated by the District Firearms Instructor or Assistant Firearms Instructors. The only authorized weapon is the government issued .40 caliber Glock semiautomatic.

Search and Seizure/Computer Searches

Training and selection of a Search and Seizure Team was accomplished this year. One actual search was conducted prior to the end of the fiscal year. It is expected that utilization of this risk management capability will increase in the coming years. There is a close connection between this program and the Cybercrime program. Both offer the Probation Office the ability to more effectively monitor offender behavior in a community setting.

ADMINISTRATIVE SERVICES

Financial Management

Funding for expenses totaled \$8,506,924. Budget responsibility rests with the Administrative Manager. Monthly budget meetings are held with the Chief and Deputy Chief Probation Officer.

| 2004 Expenditures As of September 30, 2004 | |
|---|-----------------------|
| Salaries | \$6,302,893.00 |
| Law Enforcement | \$871,972.00 |
| Aggregate (General) | \$174,463.00 |
| Historical | \$24,193.00 |
| Automation | \$212,105.00 |
| Sub Total (89.17%) | \$7,585,626.00 |
| Inter-Unit Transfers | \$475,000.00 |
| End of year return | \$446,298.00 |
| Total Expenditures | \$8,506,924.00 |

Automation

Infrastructure

The Information Technology (IT) staff continues to support automation needs in Probation. Due to a loss of a key automation staff person in the Clerk's Office, the Probation office automation staff have undertaken the responsibility for their Windows servers and e-mail maintenance. The Probation office staff maintains a fleet of 124 PCs/notebooks in four offices, 54 hand held computers, 30 Windows 2000/2003 servers and three Novell servers, as well as the Integrated Case Management System Probation/Pretrial Automated Case Tracking System (ICMS) PACTS for both the Probation and the Pretrial Services offices.

In addition, Probation automation staff manage telephone systems in the Toledo and Akron offices, and this year equipment was installed in the five interview rooms for officer's use.

Software

New software installed this year included Electronic Leave Management Resource (ELMR). Probation staff support the server and application, allowing each Court unit to manage their own leave records.

Installations of the Court Financial System (CFS) at officers desktops and quick access to Case Monitoring/Electronic Case Filing (CM/ECF) docket sheets over the Data Communications Network (DCN) were completed.

An additional Law Enforcement Automated Data Systems (LEADS) terminal was installed in the Youngstown office. LEADS is the Ohio system that gives law enforcement agencies access to the national system National Crime Information Center (NCIC).

Major Upgrade

PACTS ^{ecm} was upgraded to include the chronological package that will allow officers to enter and obtain chronological records at any workstation on the DCN. In conjunction with the upgrade, iPAQ hand held PCs were installed to allow officers to view their caseloads and enter chronological records in the field. To aid officer chronological entries, the office has offered portable infrared Personal Digital Assistant (PDA) keyboards to officers.

The e-mail system was upgraded to Notes Domino 6, allowing staff to synchronize iNotes and desktop e-mail passwords. The office instituted an e-mail function whereby staff can schedule Resources, including GSA cars and conference rooms. Also six color printers were replaced in the Probation office.

The Court issued an order governing the consolidation of automation functions for the District Court, the Probation Office and the Pretrial Services Office effective October 1, 2004. It is anticipated that this consolidation will promote efficiency in automation for the Court. Probation staff have consistently provided vital assistance to both the District Court and the Pretrial Services office in network and e-mail installation and maintenance.

HUMAN RESOURCES

Personnel

Based on workload, our staff allocation for fiscal year 2004 was 111.8 positions. However, only 110.0 positions were funded due to budget reductions. The year began with 101 employees on board. With two resignations, one transfer, and five retirements during the year, the office ended fiscal year 2004 with 93 employees. Due to the budget situation which impacted the entire judiciary, no new staff entered onto duty during the year and pending appointments and vacancies were withdrawn.

The Probation Office has continued to maintain a diverse workforce. The demographics by race/ethnicity, age, gender and disability remain similar to those reported in fiscal year 2003, with the minor change being attributed to loss of staff due to retirement and attrition. Our staff has a representation of 46% male and 54% female. The cultural representation of our organization is 58% Caucasian, 34% African-American, 7% Hispanic and 1% Asian. Approximately 71% of supervisory and management staff are female and 29% are male. This group has a representation of 59% Caucasian, 29% African-American, and 12% Hispanic.

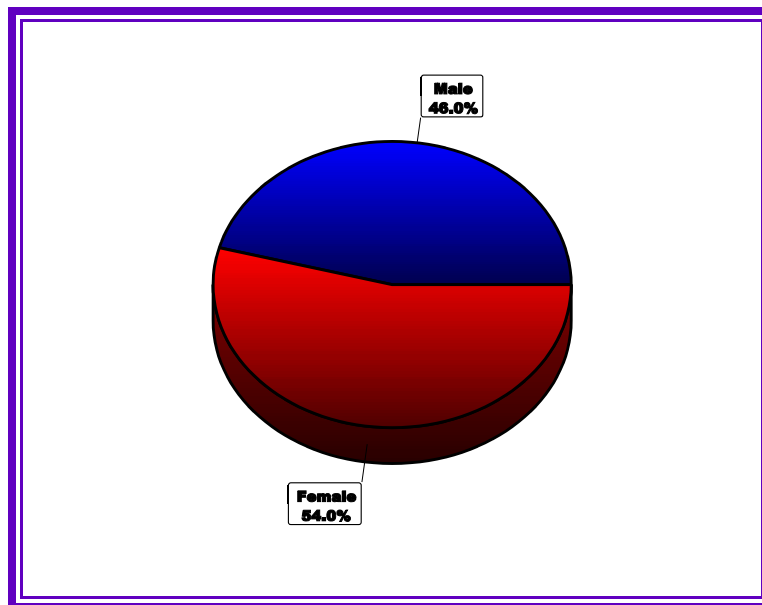


Figure 15 - Workforce by Gender

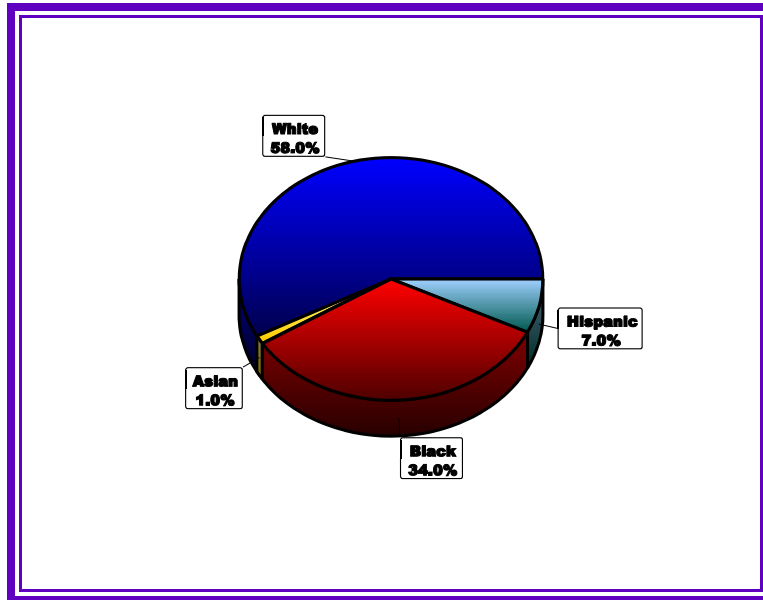


Figure 16 - Workforce by Ethnicity

Training

For 2004, staff training continued to focus in the areas related to the role of the Probation Office. Staff completed more than 3200 hours of training. Approximately 38% of training was related to safety and firearms certification. Training related to the implementation of a Search & Seizure team accounted for a significant increase in training hours in this area from the previous year. Approximately 48% of training focused directly on Probation work, such as Offender Reentry, Financial Crimes, Gangs, and Presentence Reports. Of the remaining training completed, 7% related to information, policies and procedures, and 7% related to administrative and organizational programs, such as training related to an electronic leave management system implemented in 2004.

Office Locations

Cleveland Headquarters Address

801 West Superior Avenue, Suite 3-100
Cleveland, Ohio 44113-1850
216.357.7300

Counties Served

Ashtabula, Cuyahoga, Geauga,
Lake, Lorain

Akron Office Address

2 South Main Street, B3-55
Akron Ohio 44308-1810
330.375.5774

Ashland, Carroll, Crawford,
Holmes, Medina, Portage,
Richland, Stark, Summit,
Tuscarawas, Wayne

Toledo Office Address

215 N. Summit Street, Suite A
Toledo, Ohio 43604-2659
419.259.6432

Allen, Auglaize, Defiance, Erie,
Fulton, Hancock, Hardin, Henry,
Huron, Lucas, Marion, Mercer,
Ottawa, Paulding, Putnam,
Sandusky, Seneca, Van Wert,
Williams, Wood, Wyandot

Youngstown Office Address

125 Market Street, Suite 210
Youngstown, Ohio 44503-1478
330.743.0933

Columbiana, Mahoning, Trumbull